

U.S. PTO Customer No. 25280

Case 5113

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Kenneth B. Higgins et al.  
Filed: November 24, 2000  
Serial Number: 09/721,871  
For: Cushioned Carpet, Carpet Tile, and Method  
Group Art Unit: 1771  
Examiner: Juska, Cheryl Ann

RECEIVED  
CENTRAL FAX CENTER  
APR 21 2006

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS

Commissioner of Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## Certificate of Transmission

I hereby certify that this correspondence, and all correspondence referenced herein, is being sent to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, by facsimile to 571-273-8300.

Date: April 21, 2006

Signature:

Name: Linda P. Jewell

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated October 19, 2005 of the Primary Examiner finally rejecting Claims 57-80, 82-85, and 150-160.

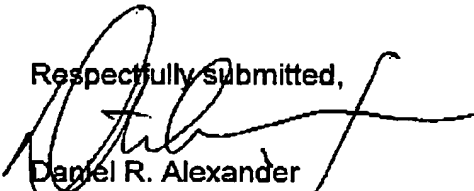
The item(s) checked below are appropriate:

1. ( ) An Extension of Time is filed concurrently herewith.
2. (X) Charge Deposit Account No. 04-0500 the fee of \$170.00. (A fee of \$330 was submitted in the Notice of Appeal dated March 24, 2004)
- (X) Charge Deposit Account No. 04-0500 if any additional extension and/or fee is required.

April 21, 2006

Adjustment date: 04/24/2006 NNGUYEN1  
04/02/2004 04/02/2004 04/02/2004 04/02/2004 04/02/2004  
01 FZ:1401 330.00 CR  
04/24/2006 NNGUYEN1 00000035 040500 09721871  
02 FC:1401 500.00 DA

Respectfully submitted,

  
Daniel R. Alexander  
Agent for Applicant(s)  
Registration Number 32,604  
Spartanburg, SC 29304  
Telephone Number: (864) 503-1372